

**TROY LAW, PLLC**

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November 10, 2022

**Via ECF**

Hon. Roanne L. Mann, U.S.M.J.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: Letter regarding Court Order**

***Stidhum v. 161-10 Hillside Auto Ave, LLC, No. 21-cv-07163 (PKC) (RLM), (E.D.N.Y.)***

Dear Judge Mann:

We respond, in brief, only to the portion of the Order admonishing Plaintiff for not taking Defendants' health condition in consideration. The finding that Plaintiff's Motion is "condemnable" and "unfounded" is predicated on the assumption that Mr. Kataev continued to suffer from health conditions. As set forth below, that is not the case.

Mr. Kataev has told the undersigned and my associate Ms. Tiffany Troy that he has "fully recovered" from the surgery after a week's rest during the in-person settlement conference before the court on October 24, 2022, and has consistently sought for in-person and not video depositions/ mediations. He was also seen in person at the court hearing on November 1, 2022 at the New York Supreme Court, Part 34 before the Honorable Dakota D. Ramseur. While we are considerate of Mr. Kataev's health condition, now that it has been abated, it should not be used to cherry pick what Mr. Kataev would like or not like to respond to or not, as discovery ends in December, and without the written discovery responses, we cannot conduct depositions.

We take the rest of the Court's admonishments to heart and will meaningfully confer with Mr. Kataev before bringing any further letters or motions to the court's attention. We thank the Court for its time and consideration in this matter.

Respectfully Submitted,

/s/ John Troy  
John Troy  
*Attorney for Plaintiffs*

JT/mh  
cc:.. (via ECF)